

REMARKS

Introduction

Claims 11-12 are pending and have been amended. Support for these amendments can be found throughout the specification, for example, in Figure 9 and the claims as filed. No new matter has been added.

Claims 1-10 and 13-30 remain cancelled without prejudice to the subject matter disclosed therein. Applicant expressly reserves the right to pursue the subject matter of these claims in this application or in another application.

Corrected Sequence Listing

Applicants have previously filed a corrected sequence listing including SEQ ID NOs: 1-22 on October 27, 2008. This corrected listing corrects the problem with the previously filed CRF sequence listing not correctly labeling at least SEQ ID NOs: 1 and 2 as the Examiner has pointed out in the Office Action. Applicant requests that the Examiner replace the previously filed Sequence Listing with the Corrected Sequence Listing.

Rejection under 35 U.S.C. § 112

The Examiner has rejected claims 11-12 under 35 U.S.C. § 112 as allegedly lacking written description for claimed SEQ ID NOs: 1 and 2. Applicant is filing a corrected sequence listing with this paper that identifies SEQ ID NOs: 1 and 2 as the amino acid sequences of human SULT4A1 protein splice variant (SEQ ID NO: 1, disclosed, for example, in Figure 8) and the amino acid sequence of human SULT4A1 protein splice variant 2 (SEQ ID NO: 2, disclosed, for example, in Figure 9). The CRF is believed to no longer include the discrepancy in sequences between it and the numbering in the claims that the Examiner mentions in the Office Action. Accordingly, this rejection is now moot and its withdrawal is respectfully requested.

Rejection under 35 U.S.C. § 102

The Examiner has rejected claims 11-12 under 35 U.S.C. § 102(b) as allegedly being anticipated by International Publication WO 02/18541 (the '541 publication). Applicants traverse.

To anticipate a claim, the reference must show each and every element of the claim either expressly or inherently. Claims 11 and 12, as amended, are directed to methods of screening for a modulator of Alzheimer's disease, wherein the modulator modulates SEQ ID NO:2 using the methods claimed, such as, by contacting an isolated cell over-expressing a SULT4A1 protein with a test compound (claim 11) or administering a test compound to a SULT4A1 transgenic or gene disrupted mouse or *Drosophila* which is predisposed to developing or has already developed symptoms of Alzheimer's disease (claim 12). These features in combination with SEQ ID NO:2 is not disclosed in the '541 publication. Therefore, for at least the above reasons, this reference cannot anticipate the amended claims. Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be withdrawn.

CONCLUSION

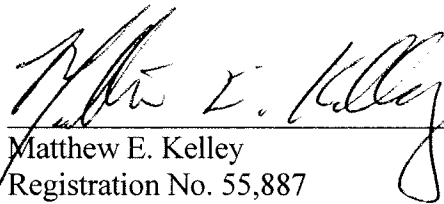
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Applicants believe that the present application is in condition for allowance. Accordingly, Applicants request that the Examiner issue a Notice of Allowance indicating the allowability of the claims and that the application be passed to issue. If the Examiner believes for any reason that a personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

The Commissioner is authorized to charge any deficiency in any patent application processing fees pursuant to 37 CFR § 1.17, including extension of time fees pursuant to 37 CFR § 1.17(a)-(d), associated with this communication and to credit any excess payment to Deposit Account No. 22-0261.

Respectfully submitted,

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Matthew E. Kelley
Registration No. 55,887

VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax : (202) 344-8300